EXHIBIT F

Page 1

UNITED STATES DISTRICT COURT FOR THE

MIDDLE DISTRICT OF PENNSYLVANIA

SAVVY DOG SYSTEMS, LLC and)

POM of Pennsylvania, LLC,)

              Plaintiffs,   )   Civil Action Number

        vs.   )   3:19-CV-01470-JPW

PENNSYLVANIA COIN, LLC and)

PA COIN HOLDINGS, LLC,   )   Honorable Jennifer P.

         Defendants.   )   Wilson

** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY **

** PURSUANT TO PROTECTIVE ORDER **

ZOOM VIDEOCONFERENCE DEPOSITION OF

MICHAEL PACE

(Taken by Defendants)

August 4, 2021

9:08 a.m.

Deposition held via Zoom Videoconference

Reported by:

F. Renee Finkley, RPR, RMR, CRR, CLR, CCR-B-2289

(Via Videoconference)

Page 40

1   Q.   And how would you number the various

2   versions of Tic-Tac-Fruit?

3   A.   There was a version scheme that had been

4   applied to the operating system since I started it in

5   the year 2000, that I had -- I scrapped the whole way

6   of doing it, and made huge changes to the operating

7   system in early 2006, took many months to work on it,

8   because there were all sorts of needed changes to the

9   operating system and upgrades and stuff.

10   So I did it all at one time, and I believe

11   I changed the way the version control worked then.

12   Generally, there was a three digit decimal number

13   with a revision number after it, but I think

14   originally it was just a version number. I'd have to

15   look back.

16   And I think there was another time, we had

17   to rescrap it again, because people were copying

18   things and, you know, and stealing code from us or

19   money, and I would have to enhance the security of

20   the system by redoing everything. And we usually

21   started like back at 100. I think that's correct.

22   We started back at 100 twice.

23   Q.   And what -- so was this after 2006? I

24   lost your time frame.

25   A.   Around -- in 2006, when I did invent and

Page 41

1   develop the preview and pre-fetch features, that was

2   part of a massive overhaul of everything that I had

3   in the system. We generated a lot of new features, a

4   lot of new things, a more robust operating system. I

5   rewrote the drivers. The board was becoming

6   obsolete. It was something I designed in 1990, and

7   by then, it was 16 years old, and I was having to

8   compete with boards out there that were much faster,

9   and had much better graphics.

10   And I had to go back and occasionally

11   rewrite my operating system to make it more compact

12   and faster, just in order to compete.

13   Q.   So what would getting back to the version

14   numbering, what would the -- when would you consider

15   something to have been a new version versus an

16   interim update?

17   A.   I guess that mattered in what part of

18   time, and how we did it. If we were going to make a

19   version, even if it's tested in-house, the version

20   number gets bumped or the revision number, so you

21   don't get them mixed up. You don't wait 'til the

22   thing is going out into the field to bump the version

23   number, or you'll have a whole lot of copies in your

24   lab you're testing with the same number on them. And

25   it doesn't make sense.

Page 68

1   whole way everything worked, because we had,

2   beforehand, generated puzzles on the fly that did not

3   work the same way as we did after that, because we

4   needed to be one step ahead and one move ahead in the

5   creation of these puzzles, if we were going to allow

6   the player to glean any information about what type

7   of puzzle it was, what you could possibly win, and

8   the difficulty of it.

9   That took place during that time period.

10   A total reworking of the system, because in order to

11   build a preview into it, I had to develop something

12   called a pre-fetch. That was a great deal of coding.

13   It was just one of those things that sounds like it

14   should have been simple, but in my system, it was

15   incredibly difficult, but I did get it done. So I

16   believe that to be an accurate statement.

17   Q.   Okay. And the testing that was done in

18   the earlier version of Tic-Tac-Fruit, the version

19   that predated the modifications that are referenced

20   here, did testing of a game field, didn't it?

21   A.   I don't think I did it the same way. I

22   know I didn't. You -- there are a lot of different

23   ways of doing that.

24   Q.   And so what was different about the way

25   that you did it after the referenced modifications